

HOUSE BILL REPORT

SJR 8200

As Reported by House Committee On:
Housing, Community Development & Veterans
Appropriations

Brief Description: Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident.

Sponsors: Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway, McCoy, Carlyle, Frockt, Palumbo and Van De Wege.

Brief History:

Committee Activity:

Housing, Community Development & Veterans: 3/19/19, 3/22/19 [DP];
Appropriations: 4/5/19, 4/8/19 [DP].

Brief Summary of Bill

- Proposes an amendment to Article II, section 42 of the Washington Constitution to authorize the Legislature to enact measures ensuring the continuity of government operations during an emergency caused by a catastrophic incident.

HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

Majority Report: Do pass. Signed by 9 members: Representatives Ryu, Chair; Morgan, Vice Chair; Jenkin, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Barkis, Entenman, Frame, Leavitt and Reeves.

Staff: Cassie Jones (786-7303).

Background:

Under Article II, section 42 of the Washington Constitution (Constitution), in order to insure continuity of state and local governmental operations in periods of emergency resulting from an enemy attack, the Legislature has the power and duty to enact legislation providing for prompt and temporary succession to public offices when the incumbents and their legal successors are unavailable for official duties. The Legislature must also enact other measures

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

as necessary for insuring the continuity of governmental operations during these emergencies. Legislation may depart from specified provisions of the Constitution during the emergency if conformance with those provisions would be impracticable or cause undue delay. Constitutional provisions to which adherence is not required during these periods include those concerning: the seat of government; membership and quorum of the Legislature, and passage of bills; vacancies in state and county offices; and state records.

Summary of Bill:

An amendment is proposed to Article II, section 42 of the Constitution that authorizes the Legislature to enact legislation providing for succession to public offices and other measures as necessary in order to insure continuity of state and local governmental operations in periods of emergency resulting from a catastrophic incident, in addition to enemy attack.

Appropriation: None.

Fiscal Note: Available.

Staff Summary of Public Testimony:

(In support) This bill is important to prepare for catastrophic events like a Cascadia subduction zone earthquake. The reality is that an event will occur at some point that will cause significant damage. Damage may be severe enough to interfere with government operations. We need to have the means to maintain the continuity of government during and after those events at both the local and state level. The current law only allows these procedures for an enemy attack. The proposed amendment regarding the First Amendment is not necessary for maintaining the continuity of government after a catastrophic incident that results in extraordinary damage or mass casualties, but the amendment does not hurt the intent of the bill.

(Opposed) None.

Persons Testifying: Senator Takko, prime sponsor; and Robert Ezelle, Washington Military Department.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 32 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Cody, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Jinkins, Kraft,

Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Stanford, Steele, Sullivan, Sutherland, Tarleton, Tharinger and Ybarra.

Staff: Meghan Morris (786-7119).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Housing, Community Development & Veterans:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.